



U.S. ARMY GARRISON KAISERSLAUTERN

Facts About Sexual Harassment

Title VII of the Civil Rights Act of 1964 made discrimination based on gender unlawful. The Equal Employment Opportunity Commission (EEOC) is the agency that enforces the law and in 1980 defined sexual harassment. Sexual harassment is defined as a form of gender discrimination that is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that take place under the following circumstances; Quid pro Quo or Hostile Work Environment. In 1986, the United States Supreme Court ruled that an individual has a right to a work environment free from discrimination, intimidation, ridicule, and insult based on gender.

Kinds of Sexual Harassment

- **Quid Pro Quo :**
 - Submission to the sexual advance is a condition of keeping or getting a job, whether expressed in explicit or implicit terms.
 - When a supervisor or boss makes a personnel decision based on an employee's submission to or rejection of sexual advances.
- **Hostile Environment:**
 - When sexual conduct unreasonably interferes with a person's work performance or create an intimidating, hostile or offensive work environment.

Sexual Harassment

Sexual harassment definition contains several critical elements. The behavior must be

- Observable
- Deliberate or repeated
- Unsolicited, Unwelcome
- Sexual in nature
- Occurring in a work-related environment

Sexual Harassment can be

- Visual - leering, blowing kisses, licking lips
- Verbal – telling obscene jokes, making comments, direct propositions, threats to your career, pay or job in exchange for sexual favors
- Physical – pinching, bumping grabbing, touching cornering, obscene gestures.
- Written – Posters, emails, notes, photos

Whose Responsibility Is It To Stop Sexually Harassing Behavior?

Ideally an individual should not engage in this behavior or should stop immediately when the victim indicates discomfort. In real life, however, everyone does not behave appropriately. Some

harassers will continue to harass no matter what actions the victim takes. For these reasons, the supervisor is the primary person within the organization charged with the responsibility for prevention or corrective actions as necessary.

Supervisors are given wide authority to establish rules of conduct at work (i.e., a supervisor will set a standard concerning your attendance, telephone use, interaction with other employees, etc.) If you fail to meet the requirements, then you can be charged with failing to follow supervisory instruction. Failure to follow supervisory requirements can result in disciplinary action.

The organization also has responsibility for ensuring that no actions are taken against you when you report situations or incidents, using either the EEO or grievance procedures. The EEOC guidelines specifically protect anyone who reports, or who is a witness to, sexually harassing behavior.

When the organization is taking official steps to deal with the issue of sexual harassment or other related conduct, victims, alleged offenders, and witnesses have the same procedural rights, responsibilities and protections as in any other conduct situation.

Taking Personal Responsibility

Assertive behavior is the key to stopping sexual harassment and miscommunications. If you find remarks, actions or invasion of your personal space making you uncomfortable, you should communicate this to the other person. Use of the assertive response may help STOP sexual harassment.

The keys to effective assertive communications are:

- Focus on actions
- Describe rather than label
- Express how you feel
- Don't harp on what happened. If necessary suggest what you want in the future.

Assertive responses should be appropriate to the level or degree of sexual advance or innuendo made.

To better understand our role in preventing sexual harassment, we as employees, need to know our responsibilities, which consist of the following:

- Talk about the issue
- Support the DA policy
- Recognize environmental cues
- Check your own behavior
- Know your personal rights
- Identify and take individual actions to stop inappropriate behavior
- Support co-workers
- Know the organizational steps to achieve action
- Seek official help when necessary